

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking on the  
Commission's Own Motion Into Competition for  
Local Exchange Service.

Rulemaking 95-04-043

Order Instituting Investigation on the  
Commission's Own Motion Into Competition for  
Local Exchange Service.

Investigation 95-04-044

**ADMINISTRATIVE LAW JUDGE'S RULING  
MOTION OF EVANS TELEPHONE COMPANY (U 1008 C)  
REGARDING NUMBER POOLING RULING OF JULY 26, 2001**

On October 18, 2001, a motion was filed by Evans Telephone Company (U 1008 C) (Evans) for an order for clarification of or limited exemption from the portions of the Joint Assigned Commissioner's and Administrative Law Judge's Ruling Regarding Lottery Eligibility and Number Pooling Requirements (Joint Ruling) issued July 26, 2001.

Evans seeks, by its motion, clarification of or exemption from the requirement set forth in the Joint Ruling that wireline carriers operating the 408 Numbering plan area (NPA) begin to donate, 1,000-number blocks to the pooling administrator as of October 26, 2001. Evans seeks such relief because it is a wireline carrier operating a single, small exchange within that 408 NPA, and is unable to participate in 1,000-number block pooling due to technical limitations.

As set forth in the declaration of James K. Carper accompanying its motion, Evans' San Antonio exchange serves approximately 160 customers in a rural area located east of San Jose within the 408 NPA. Evans understands the Joint Ruling as requiring Evans to participate in number pooling by donating 1,000-number blocks from the San Antonio exchange to the pooling administrator. Evans states, however, it is unable to participate in 1,000-number block pooling because the San Antonio exchange is not located within a local rate area of any other carrier or carriers with which the numbers could be pooled.

In response to inquiries to the manufacturer of its central office switch, Evans has determined that the software required for local number portability and 1,000-number block pooling operates only among multiple LECs which share a single local rate center. The local rate area of Evans' San Antonio exchange, however, is confined to the San Antonio exchange. Evans' San Antonio customers cannot call any other areas on a local calling basis, and no other LECs serve the San Antonio exchange area.

Evans understands that it could be required to participate in local number portability (LNP) within its San Antonio exchange if it received a request from a competitive provider for pooling of number within the San Antonio exchange. There has, however, been no such request, and Evans does not anticipate any such request within the near future.

Evans believes that the Joint Ruling was intended to require participation in 1,000-number block pooling only where, 1,000-number block pooling was technically feasible. Evans requests, therefore, that an order issue either clarifying that participation in 1,000-number block pooling is required only where it is technically feasible or, alternatively, granting Evans a partial exemption from the Joint Ruling, so that Evans' San Antonio exchange is

excluded from being required to donate 1,000-number blocks to the pooling administrator.

**Discussion**

In view of the fact that the San Antonio exchange is not located within a local rate area shared with any other carrier with which numbers could be pooled, Evans' request for a partial exemption from the Joint Ruling is reasonable, and shall be granted. At such time, if any, that Evans receives a request from a competitive provider for pooling of numbers within the San Antonio exchange, the limited exemption shall terminate.

**IT IS RULED** that:

1. The motion of Evans Telephone Company (Evans) for a limited exemption from July 26, 2001 Ruling relating to number pooling requirements in the 408 NPA.
2. Evans is exempted from the requirement to donate 1,000-number blocks to the 408 NPA number pool from its San Antonio exchange.
3. At such time, if any, that Evans receives a request from a competitive provider for pooling of numbers within the San Antonio exchange, this limited exemption shall terminate.

Dated October 29, 2001, at San Francisco, California.

/s/ Thomas R. Pulsifer  
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Thomas R. Pulsifer  
Administrative Law Judge

## CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Motion of Evans Telephone Company (U 1008 C) Regarding the Number Pooling for Ruling of July 26, 2001 on all parties of record in this proceeding or their attorneys of record.

Dated October 29, 2001, at San Francisco, California.

/s/ Antonina V. Swansen  
Antonina V. Swansen

## N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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R.95-04-043, I.95-04-044 TRP/avs